

UNITED STATES DISTRICT COURT

FOR THE

EASTERN DISTRICT OF NEW YORK

Douglas C Palmer
Clerk of Court

Brenna Mahoney
Chief Deputy

Michael J. Kramer
Chief Deputy



Theodore Roosevelt Federal Courthouse
Emanuel Celler Federal Courthouse

225 Cadman Plaza East
Brooklyn, NY 11201
(718) 613-2270

Alfonse D'Amato Federal Courthouse

100 Federal Plaza
Central Islip, NY 11722
(718) 613-2270

October 26, 2021

BY ECF AND OVERNIGHT MAIL

(Please see attached distribution list for counsel receiving this communication.)

In re: Abraham et al v. American Home Mortgage Servicing, Inc. et al, 1:12-cv-4686-WFK-JXA

Dear Counsel,

I have been contacted by Judge William F. Kuntz, II, who presided over the above-mentioned case. Judge Kuntz informed me that it has been brought to his attention that while he presided over the case he owned stock in "US Bank". His ownership of stock neither affected nor impacted his decisions in this case. However, his stock ownership would have required recusal under the Code of Conduct for United States Judges, and thus, Judge Kuntz directed that I notify the parties of the conflict.

Advisory Opinion 71, from the Judicial Conference Codes of Conduct Committee, provides the following guidance for addressing disqualification that is not discovered until after a judge has participated in a case:

[A] judge should disclose to the parties the facts bearing on disqualification as soon as those facts are learned, even though that may occur after entry of the decision. The parties may then determine what relief they may seek and a court (without the disqualified judge) will decide the legal consequence, if any, arising from the participation of the disqualified judge in the entered decision.

Although Advisory Opinion 71 contemplated disqualification after a Court of Appeals oral argument, the Committee explained "[s]imilar considerations would apply when a judgment was entered in a district court by a judge and it is later learned that the judge was disqualified."

With Advisory Opinion 71 in mind, you are invited to respond to Judge Kuntz's disclosure of a conflict in this case. Should you wish to respond, please submit your response on or before

November 10, 2021. Any response will be considered by another judge of this court without the participation of Judge Kuntz.

Sincerely,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

Douglas C. Palmer
Clerk of Court

Distribution List - Counsel of Record

Janine Zimmerman Schatz The Resolution Law Group, P.C. 100 Park Avenue, Suite 1600 New York, NY 10017	Geoffrey R. Broderick The Resolution Law Group, P.C. 500 West Putnam Avenue, Suite 400 Greenwich, CT 06830	Nafiz Cekirge 120 Broadway Ste. 300 Santa Monica, CA 90401
Scott Harris Kaiser Bryan Cave LLP 1290 Avenue of the Americas New York, NY 10104-3300	Matthew D. Ingber Mayer Brown LLP 1675 Broadway New York, NY 10019	Lucia Nale Mayer Brown LLP 71 South Wacker Drive Chicago, IL 60606
Thomas V. Panoff Mayer Brown LLP 71 South Wacker Drive Chicago, IL 60606	Jacqueline Della Chiesa Stagg, Terenzi, Confusione & Wabnik LLP 401 Franklin Avenue Suite 300 Garden City, NY 11530	Justin Michael Rowe Stagg, Terenzi, Confusione & Wabnik 401 Franklin Ave, Suite 400 Garden City, NY 11530
James A. Resila Carter Conboy, et al 20 Corporate Woods Boulevard Albany, NY 12211	Michael J. Catalfimo Carter Conboy Case Blackmore Maloney & Laird P.C. 20 Corporate Woods Boulevard Albany, NY 12211	Tyler Jay Kandel Emmet, Marvin & Martin, LLP 120 Broadway 32nd Floor New York, NY 10271
Mordechai Geisler Emmet Marvin & Martin LLP 120 Broadway 32nd Floor New York, NY 10271	Matthew P. Previn Buckley Sandler LLP 1133 Avenue of the Americas Ste 3100 New York, NY 10036	Allison J. Schoenthal Hogan Lovells US LLP 875 Third Avenue New York, NY 10022
Lisa Fried Hogan Lovells US LLP 875 Third Avenue New York, NY 10022	James M. Goodin Locke Lord LLP 111 South Wacker Drive Chicago, IL 60606	Joseph N. Froehlich Locke Lord LLP 3 World Financial Center New York, NY 10281
Thomas J. Cunningham Locke Lord LLP 111 South Wacker Drive Chicago, IL 60606	Mitra Singh Houser & Allison, APC 60 East 42 Street Suite 1148 New York, NY 10165	Stephen George Rinehart Troutman Sanders LLP The Chrysler Building 405 Lexington Avenue New York, NY 10174
Mitchel H. Kider Weiner Brodsky Kider PC 1300 19th Street, N.W. 5 th Fl Washington, DC 20036-1609	Sean C. McPhee Phillips Lytle LLP 3400 HSBC Center Buffalo, NY 14203	Joseph B. Schmit Phillips Lytle LLP 437 Madison Avenue 34th Floor New York, NY 10022
Bradley L. Mitchell Stevens & Lee 600 College Road East Ste 4400 Princeton, NJ 08540	Constantine D. Pourakis Stevens & Lee, P.C. 485 Madison Avenue, 20th Floor New York, NY 10022	David S. Versfelt Kirkpatrick Lockhart Preston Gates Ellis LLP 599 Lexington Ave. New York, NY 10022-6030

(continued)

Robert Bruce Allensworth K&L Gates LLP State Street Financial Center One Lincoln Street Boston, MA 02111	Brian M. Forbes K&L Gates LLP One Lincoln Street Boston, MA 02111	William M. Rifkin Belkin, Burden, Weing & Goldman, LLP 270 Madison Avenue New York, NY 10016
S. Robert Schrager Hodgson Russ LLP 1540 Broadway 24th Flr. New York, NY 10036	Ali Ryan Amin Hinshaw & Culbertson, LLP 780 Third Avenue 4th Floor New York, NY 10017	Schuyler Blake Kraus Hinshaw & Culbertson 780 Third Avenue 4th floor New York, NY 10017-2024
Cori Ann Rosen Rosenberg & Estis PC 733 Third Avenue New York, NY 10022	Richard Eric Gottlieb Dykema Gossett PLLC One IBM Plaza 10 South Wacker Drive Ste 2300 Chicago, IL 60606	Thomas A. Leghorn Wilson Elser Moskowitz Edelman & Dicker LLP 3 Gannet Drive White Plains, NY 10604
Daniel Paul Jaffe Husch Blackwell Sanders LLP 190 Carondelet Plaza Suite 600 Saint Louis, MO 63105	JoAnn T. Sandifer Husch Blackwell LLP 190 Carondelet Plaza, Suite 600 Saint Louis, MO 63105	Jordan Jayce Manfro Knuckles, Komosinski & Elliott, LLP 565 Taxter Road, Suite 590 Elmsford, NY 10523
R. James Jude De Rose , III Locke Lord Bissell & Liddell LLP 3 World Financial Center New York, NY 10281	Sarah Peck Kenney Kirkpatrick & Lockhart Preston Gates Ellis LLP 599 Lexington Avenue New York, NY 10022	Douglas E. Fleming Quinn Emanuel Urquhart & Sullivan, LLP 51 Madison Avenue 22nd floor New York, NY 10010
Patrick Edmund Fitzmaurice Dentons US LLP 1221 Avenue of the Americas New York, NY 10020	Brian A. Herman Morgan, Lewis & Bockius, LLP 101 Park Avenue New York, NY 10178	David Abraham Snider Morgan, Lewis & Bockius LLP 101 Park Avenue New York, NY 10178
Joanna C. Hendon Morgan Lewis & Bockius 101 Park Avenue New York, NY 10178	Richard Gerard Haddad Otterbourg P.C. 230 Park Avenue New York, NY 10169	